

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 20

Special Meeting

July 2, 2007

Town Board Minutes

July 2, 2007

Meeting No. 20

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 2nd day of July 2007, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT REBECCA ANDERSON, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for three (3) actions

**IN THE MATTER OF THE SEQR REVIEW OF THE
MULTI-TENANT BUILDING SITE PLAN**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, discussed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.07 acres.

The location of the premises is situate at the corner of William Street and Aurora Street, County of Erie, Town of Lancaster, New York.

Discussion regarding drainage, stormwater detention, traffic as well as questions raised by the Erie County Department of Environment and Planning continued at length, whereupon:

THE FOLLOWING MOTION WAS MADE
BY COUNCIL MEMBER STEMPNIAK
SECONDED, BY PLANNING BOARD
MEMBER GOBER, TO WIT:

That the matter of the State Environmental Quality Review be tabled pending satisfactory responses to the questions raised by the Erie County Department of Public Works in the Department's memo dated June 13, 2007 as well as the June 18, 2007 letter from the County of Erie, Department of Environment & Planning addressed to the Supervisor, Town of Lancaster.

The motion was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion to table this matter was granted.

July 2, 2007

**IN THE MATTER OF THE SEQR REVIEW OF THE
WEHRLE CORPORATE CENTER SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Wehrle Corporate Center site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 5.53 acres.

The location of the premises being reviewed is situate at 2733-2739 Wehrle Drive, County of Erie, Town of Lancaster, New York

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee relative to the criteria found in 6NYCRR, Part 617.7.

PARTIAL FINDINGS STATEMENT - PROJECT IMPACTS

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
 - Construction in that area will continue for more than one year or involve more than one phase or stage.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.

5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.
 - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
 - Pesticide and or herbicide may be applied for lawn care purposes.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. It is noted that the site appears to be located in an archaeologically sensitive area.
 - The Municipal Review Committee is awaiting a response from the New York State Historic Preservation Office and will evaluate this concern.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities
14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action may affect existing transportation systems.
 - The Municipal Review Committee is awaiting a response from Erie County regarding the traffic impact study.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
18. The proposed action will not affect public health and safety.
19. The proposed action may have a small to moderate impact on the character of the existing community.
 - The project may increase demand for police and fire services as well as create employment.

20. Public controversy related to potential adverse environmental impacts can not be determined until all questions are fully answered.

The lead agency being desirous of further information and or clarification with regard to impact upon sites of historic significance & transportation as well as the possibility of public controversy related to potential environmental impacts, now therefore makes the following motion by Council Member Amatura, seconded by Council Member Ruffino, to wit:

That the matter of the State Environmental Quality Review be tabled pending clarification regarding impact upon historically significant sites and impacts to transportation.

The question of the adoption of the foregoing Motion was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion to table this matter was thereupon adopted.

July 2, 2007

**IN THE MATTER OF THE SEQR REVIEW OF THE
RUSS SALVATORE DEVELOPMENT SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Russ Salvatore Development site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.81 acres.

The location of the premises being reviewed is situate on Transit Road between Freeman Road and Wehrle Drive, County of Erie, Town of Lancaster, New York.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION
RUSS SALVATORE DEVELOPMENT
NEGATIVE DECLARATION**

FINDINGS STATEMENT - PROJECT IMPACTS

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

The Municipal Review Committee notes that the area of this site has been thoroughly disturbed over previous decades.

1. The proposed action will result in a small to moderate physical change to the project site.
 - The depth to bedrock is 2-4 feet.
 - Construction that will continue for more than one year and involve more than one phase.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.
 - It is anticipated that pesticide or herbicide will be utilized for lawn care.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
 - It is noted that this land has been disturbed for many decades.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.

14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
15. The proposed action will not affect existing transportation systems.
16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There may be a small to moderated impact with regard to objectionable odors, noise, or vibration as a result of this proposed action.
 - It is noted that blasting will occur during construction.
18. The proposed action will not affect public health and safety.
19. The proposed action will have a small to moderate impact on the character of the existing community.
 - The development will create demand for additional police and fire services as well as creation of employment.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s _____

SEAL.

Robert H. Giza, Supervisor
Town of Lancaster

July 2, 2007

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

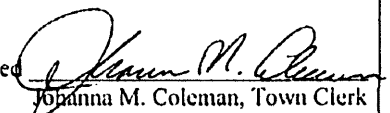
July 2, 2007

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY COUNCIL MEMBER KORZENIEWSKI FOR ADJOURNMENT OF THE MEETING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:24 P.M.

Signed 
Johanna M. Coleman, Town Clerk

Town Board Minutes

**Meeting
No. 21**

Regular Meeting

July 2, 2007

Town Board Minutes

July 2, 2007

Meeting No. 21

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 2nd day of July 2007 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, YOUTH BUREAU DIRECTOR

EXECUTIVE SESSION:

UPON A MOTION DULY MADE BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing particular personnel matters in the Police Department and the Assessor's Office and a pending contractual matter.

At 9:56 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matters:

- Town Hall rest room reconstruction
- milling and resurfacing of Town Roads
- alleged parking violations at Aurora Markets as well as picnic tables
- building lot on East Home Road

Korecz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- outside storage at Aurora Markets

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- commends David Brown, Director of Administration and Finance for a superlative job done

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
June 18, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has determined that certain of the Town's Capital Projects are deemed to be completed, and

WHEREAS, the Town Board wishes to officially close said projects and, where applicable, properly direct the disposition of the unexpended cash balances of these projects,

NOW, THEREFORE, BE IT

RESOLVED, that the Capital Projects listed below are hereby deemed complete and that their respective accounts on the Town's books be closed except that those accounts which are necessary to properly record the liability associated with any and all outstanding debt of the projects and/or subsequent retirement of said debt shall be closed after said debt is retired, and

BE IT FURTHER

RESOLVED, that where applicable, the project cash balances listed below be transferred to the "Reserve for Debt Service" account of the operating fund specified below:

	Fund	Date	Project	
<u>Project Name/Description</u>	<u>No.</u>	<u>Authorized</u>	<u>Balance</u>	<u>Operating Fund</u>
Town Hall Restroom Recon.	155	05/02/05	19,070.00	General Fund - Townwide

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Fox & Company LLP, Certified Public Accountants has duly examined and audited the fiscal affairs of the Town of Lancaster, including the records and fiscal affairs of the Departments of Town Clerk and Town Justices for the year ended December 31, 2006.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster accepts the December 31, 2006 audits by Fox & Company, LLP entitled "Basic Financial Statements with Independent Auditor's Report" and "Department of Clerk and Municipal Court Financial Statements and Additional Information with Independent Auditor's Report".

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

file: raudit report

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau by letter dated June 28, 2007, has recommended appointments for the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs, and Summer Theater Workshop.

NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and are hereby appointed to positions in the Youth Bureau's Summer Skills Building Program, Safe Summer Reinforcement & Enrichment Programs and Summer Theater Workshop effective July 2, 2007 through August 31, 2007, at the following rates:

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Danielle Wojcicki-Patro (rehire) 77 Lorraine Place West Seneca, NY 14224	Tutor	\$15.75 hr.
Jennifer Blank (rehire) 17 Shadyside Lane Lancaster, NY 14086	Tutor	\$16.00 hr.
Sarah Demers (rehire) 140 Culpepper Road Williamsville, NY 14221	Tutor	\$15.50 hr.
Julie Roberts (rehire) 2884 Main St. Buffalo, NY 14214	Tutor	\$15.50 hr.
Lori Wargula (new hire) 110 Brunswick Road Depew, NY 14043	Tutor	\$15.00 hr.
Donna Greene (new hire) 165 Sawyer Avenue Depew, NY 14043	Tutor	\$15.00 hr.
Jessica Allen Budowski (rehire) 23 Patton Lane West Seneca, NY 14224	Tutor	\$16.00 hr.
Emily Monheim (new hire) 273 Argus Drive Depew, NY 14043	Tutor	\$15.00 hr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the General Crew Chief, by letter dated June 27, 2007, has requested the appointment of three (3) seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for summer 2007. These appointments are necessary because individuals previously appointed have declined the position.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of seasonal employees for the summer of 2007 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rates:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Bryan Anderson (new hire) 45 Erie Street, Lancaster	Lifeguard	\$7.15/hr.
Keith Krajewski (new hire) 5632 William Street, Lancaster	Lifeguard	\$7.15/hr.
Lynne Koerner (new hire) 73 Newberry Lane, Lancaster	Recreation Attendant	\$7.15/hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, RUSSELL J. SALVATORE, 6461 Transit Road, Lancaster, New York 14043, has submitted a revised site plan prepared by Daryl Martin Architect, dated June 29, 2007 for the construction of a new 7,000 square foot masonry building for the Trocaire College Hospitality School, a 14,100 square foot masonry and steel restaurant attached to a four story 52,000 square foot masonry and concrete hotel located on the east side of Transit Road between Freeman Road and Wehrle Drive in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting June 6, 2007 has recommended approval of this project subject to correction of the original site plan dated May 1, 2007, and

WHEREAS, a SEQR Review of this project was held July 2, 2007 and a Negative Declaration was issued at that time

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised site plan submitted by Russell J. Salvatore, 6461 Transit Road, Lancaster, New York 14043, dated June 29, 2007 for the construction of a new 7,000 square foot masonry building for the Trocaire College Hospitality School, a 14,100 square foot masonry and steel restaurant attached to a four story 52,000 square foot masonry and concrete hotel located on the east side of Transit Road between Freeman Road and Wehrle Drive in the Town of Lancaster, Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 8963 to Claim No. 9148 Inclusive

Total amount hereby authorized to be paid: \$730,989.60

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

14732	Kulback's Construction	14 Rehm Rd	Er. Comm. Bldg.	
14748	Iroquois Fence Inc	3 Heathrow Ct	Er. Fence	
14749	Wener, Gregory	15 Red Clover Ln	Er. Shed	
14750	Home Brands	77 Sixth Ave	Er. Shed	(V/L)
14751	Premier Fence Co	656 Schwartz Rd	Er. Fence	
14752	Farrugia, Michael	18 Windcroft Ln	Er. Shed	
14753	Dukiewicz, Ryan	77 Cotton St	Er. Garage	(V/L)
14754	Patio Enclosures Inc	50 Quail Run Ln	Er. Res. Add.	
14755	Sieber, Gary	162 Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
14756	Slivan Pool & Const	61 Trentwood Trl N	Er. Pool-Abv Grnd	
14757	Grapes, Melanie	27 Sawgrass Ln	Er. Deck	
14758	Lewandowski, Gary	501 Pleasant View Dr	Er. Dwlg.-Sin.	
14759	J Gun Enterprises	519 Pleasant View Dr	Er. Pool-Abv Grnd	
14760	T.N.T. Pools	867 Erie St	Er. Pool-Abv Grnd	
14761	T.N.T. Pools	33 Fox Hunt Rd	Er. Pool-Abv Grnd	
14762	Bippert's Hall Rd Land	480 Hall Rd	Dem. Barn	
14763	Rich Pools	38 Pardee Ave	Er. Pool-Abv Grnd	(V/L)
14764	City Fence Inc	13 Camner Ave	Er. Fence	(V/L)
14765	Rich Pools Inc	15 Candice Ct	Er. Pool-Abv Grnd	
14766	Duro-Shed Inc	10 Grace Way	Er. Shed	
14767	Marzec Construction	33 Hill Valley Dr	Er. Res. Alt.	
14768	Szpylman, T Ryan	24 Riemers Ave	Er. Res. Add.	
14769	Forestream Village Inc	4733 Transit Rd	Er. Comm. Alt.	
14770	City Fence Inc	56 Cotton St	Er. Fence	(V/L)
14771	Grau Builders LLC	10 Dover Ct	Er. Dwlg.-Sin.	
14772	Ron Zee Builders	25 Sherwood Rd	Er. Deck	(V/L)
14773	Fields, Michael	137 Siebert Rd	Er. Shed	
14774	Smith, Clayton	14E Drullard Ave	Er. Res. Alt.	(V/L)
14775	Rich Pools	24 Schiffler Ct	Er. Pool-Abv Grnd	
14776	Gary Pool Sales	25 Meadow Lea Dr	Er. Pool-Abv Grnd	
14777	Rusinski, Christopher	9 St Anthony St	Er. Deck	
14778	McNally, Peter	64 Irwinwood Rd	Er. Deck	(V/L)

14779	Patio Enclosures Inc	1 Schiffler Ct	Er. Res. Add.
14780	Slivan Pool & Const	48 Field Ave	Er. Pool-Abv Grnd (V/L)
14781	David, Nathan	49 Rehm Rd	Er. Fence
14782	Rich Pools	71 Newberry Ln	Er. Pool-Abv Grnd
14783	Slivan Pool & Const	44 Summerfield Dr	Er. Pool-Abv Grnd
14784	Wahl To Wahl Const	7 Ryan St	Er. Res. Add.
14785	Colley's Pool Sales	53 Stream View Ln	Er. Fence
14786	Colley's Pool Sales	53 Stream View Ln	Er. Pool-In Grnd
14787	Cotton, Warren	24 Kurtz Ave	Dem. Garage (V/L)
14788	Sebasitano Const.	19 Chestnut Corner	Er. Res. Alt.
14789	Majestic Pools Inc	27 Sawgrass Ln	Er. Pool-Abv Grnd
14790	Majestic Pools Inc	19 Chestnut Corner	Er. Pool-In Grnd
14791	Duro Shed Inc	108 Burwell Ave	Er. Shed (V/L)
14792	Peters, Thomas	1460 Townline Rd	Er. Res. Add.
14793	Dillon, Richard	33 Ashwood Ct	Er. Deck
14794	Majestic Pools Inc	13 Hill Valley Dr	Er. Pool-In Grnd
14795	Pat Honan Constr	130 Simme Rd	Er. Res. Add.
14796	Sebastiano, Joseph	1372 Townline Rd	Er. Res. Add.
14797	A Best Const	62 Stutzman Rd	Er. Res. Add.
14798	Bager, J	9 Garfield St	Er. Fence (V/L)
14799	Duro-Shed Inc	237 Warner Rd	Er. Shed
14800	Premier Fence Co	237 Warner Rd	Er. Fence
14801	Duro-Shed Inc	30 Apple Blossom Blvd	Er. Shed
14802	Caverno, Charles	30 Apple Blossom Blvd	Er. Fence
14803	Duro-Shed Inc	25 Americo Ct	Er. Shed
14805	Design Works LLC	4920 William St	Er. Sign-Temp
14806	Giamberdino, Vincent	65 Remwood Ave	Er. Fence
14807	Sun Enterprises	368 Lake Ave	Er. Shed
14808	Lampka Construction	16 Farmview Ct	Er. Res. Alt.
14809	The Building Company	234 Nathan's Trl	Er. Res. Alt.
14810	Kuhn, Ray	2012 Como Park Blvd	Er. Fence (V/L)
14811	Holiday Remodeling	130 Peppermint Rd	Er. Garage
14812	Forestview Restaurant	4781 Transit Rd	Er. Comm. Add./Alt
14813	Duro-Shed Inc	32 Chicory Ln	Er. Shed
14814	Zglinicki, Ronald	318 Stony Rd	Er. Fence
14815	Essex Homes of WNY	21 Americo Ct	Er. Dwlg.-Sin.
14816	Rich Pools	38 Woodgate Dr	Er. Pool-Abv Grnd
14817	Avalon Services	2 Apple Blossom Blvd	Er. Pool-Abv Grnd
14818	Schuster Const.	228 Lake Ave	Er. Dwlg.-Sin. (V/L)
14819	Schlager, Scott	9 Creekwood Dr	Er. Shed
14820	Cam Services	10 Wainwright Ct	Er. Pool-Abv Grnd
14821	Overbeck, Paul	1389 Ransom Rd	Er. Res. Alt.
14822	Marino, Salvatore	56 Michael Anthony Ln	Er. Pool-Abv Grnd

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolutions:

Council Member Ruffino moved to suspend the necessary rule for immediate consideration of the following resolutions, seconded by Council Member Amatura, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town Board has previously duly advertised for bids for milling and resurfacing of Partridge Walk and Squirrel Run and the resurfacing of West Home Road in the Town of Lancaster, and

WHEREAS, bids were received, opened and reviewed on July 2, 2007, and

WHEREAS, the Highway Superintendent by letter dated July 2, 2007 has recommended award of the bid to Occhino Corporation, being the lowest responsible bidder in the amount of \$71,310.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for milling and resurfacing of Partridge Walk and Squirrel Run and the resurfacing of West Home Road in the Town of Lancaster to Occhino Corporation, 2650 Seneca Street, West Seneca, New York 14224 in the amount of \$71,310.00 being the lowest responsible bidder in conformance with the specifications on file in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

File: rmillingandrepavingroads707

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the County of Erie Department of Environment and Planning has submitted a proposed agreement for Phase II Stormwater Management Services between the Town of Lancaster and the County of Erie, and

WHEREAS, the Town Board has duly reviewed the proposed agreement and deems it in the public interest to enter into this agreement which will provide the Town of Lancaster as one of the thirteen coalition members a reimbursement of up to \$14,000.00 for completion of the necessary work to complete the Stormwater Phase II Local Ordinance Adoption Work Plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the Phase II Stormwater Management Services Agreement between the Town of Lancaster and the County of Erie which will provide reimbursement to the Town of up to \$14,000.00 for completion of the necessary work to meet the goals and tasks of this Stormwater Phase II Local Ordinance Adoption Work Plan.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

July 2, 2007

File: rstormwater707

COMMUNICATIONS & REPORTS:

343. Donna Lukowski, Lee Chowanec to Town Board, Planning Board -
Letter regarding Windsor Ridge South development and new wetland delineation map.
DISPOSITION = Planning Committee
344. Erie County Department of Environment & Planning to Supervisor -
Notice of lead agency designation regarding proposed Multi-Tenant Building, n.w. corner William Street and Aurora Street; comments and concerns noted.
DISPOSITION = Planning Committee
345. Village of Lancaster Special Events to Town Board -
Notice of certain street and parking lot closures in downtown area for Independence Day Celebration. DISPOSITION = Received & Filed
346. Town of West Seneca to New York Governor -
Transmittal of resolution in support of Spartan II body armor vests for U.S. soldiers.
DISPOSITION = For Resolution
347. Thomas M. Reynolds, U.S. Representative, District 26 to Supervisor -
Letter regarding clean-up of residential properties in Village of Depew by Environmental Protection Agency. DISPOSITION = Received & Filed
348. NYS Department of Agriculture & Markets to Supervisor -
Letter regarding Request for Proposals for Farmland Implementation Projects.
DISPOSITION = Received & Filed
349. Benjamin Brown to Supervisor -
Letter of appreciation for assistance in his Eagle Scout Project. DISPOSITION = Received & Filed
350. Erie County Department of Environment & Planning to Supervisor -
Notice of lead agency designation regarding Russ Salvatore Development, Transit Road north of Freeman Road and south of Wehrle Drive; comments and concerns noted. DISPOSITION = Planning Committee
351. Highway Superintendent to Erie County Executive -
Letter regarding lack of reimbursement by Erie County for brush pick-up on county roads. DISPOSITION = Received & Filed
352. Arthur A. Herdzik to Supervisor -
Letter declining reappointment to Assessment Review Board. DISPOSITION = Received & Filed
353. Lancaster Central School District Superintendent to District Parents -
Letter regarding drug awareness programs within the school district. DISPOSITION = Received & Filed
354. Village of Lancaster to Town Board -
Minutes of meeting held June 11, 2007. DISPOSITION = Received & Filed
355. Town Attorney to Town Board, Planning Board -
Notice of SEQR meeting to be held July 2, 2007, 6:30 PM regarding Russ Salvatore Development, Transit Road, Multi-Tenant Building, Aurora & William Streets, and Wehrle Corporate Center, Wehrle Drive. DISPOSITION = Received & Filed
356. Town Clerk to Various News Media -
Notice of SEQR meeting to be held July 2, 2007, 6:30 PM regarding Russ Salvatore Development, Transit Road, Multi-Tenant Building, Aurora & William Streets, and Wehrle Corporate Center, Wehrle Drive. DISPOSITION = Received & Filed
357. Irvine G. Reinig II to Town Board -
Transmittal of letter written to Village of Depew Board of Trustees regarding the application for a special use permit for Southeast Community Work Center, 321 Columbia Avenue. DISPOSITION = Received & Filed

358. NYS DEC to U.S. Army Corps of Engineers Buffalo District -
Letter regarding a Joint Application for Permit for tree removal project at Slate Bottom Creek at Bowen Road. DISPOSITION = Received & Filed
359. U. S. Senator Hillary Rodham Clinton to Undersecretary for Federal Emergency Management -
Letter regarding FEMA policy concerning tree stump removal from the October storm. DISPOSITION = Received & Filed
360. Michael F. Jablonski to Supervisor -
Letter of application for Part Time Bailiff position. DISPOSITION = Received & Filed
361. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held June 20, 2007. DISPOSITION = Received & Filed
362. Planning Board to Town Board -
Recommend approval of site plan for T. O'Donnell Landscaping & Mulch Manufacturing facility, Walden Avenue, east of Ransom Road; conditions noted. DISPOSITION = Planning Committee
363. Planning Board to Town Board -
Recommend to deny request for removal of sidewalks from site plan for Parkhaven Patio Home, Bowen Road near Broadway; comment noted. DISPOSITION = Planning Committee
364. Damon & Morey I.L.P to Town Clerk -
Letter requesting a tentative schedule regarding proposed Tim Horton's Restaurant, 4849 Transit Road. DISPOSITION = Planning Committee
365. Executive Director, Youth Bureau to Supervisor -
Request appointment of certain individuals for various summer youth program positions. DISPOSITION = Resolution 7/2/07
366. General Crew Chief to Supervisor -
Request appointment of seasonal employees. DISPOSITION = Resolution 7/2/07

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, the meeting was adjourned at 9:56 P.M. in memory of Pasquale Tigani.

Signed


Johanna M. Coleman, Town Clerk